

## CONFIRMATORY/DECLARATORY PATENT ASSIGNMENT

### PARTIES:

- (1) Bayer HealthCare AG (incorporated in Germany)  
of 51368 Leverkusen  
Germany  
("ASSIGNOR")
- (2) XENTION LIMITED (incorporated in the United Kingdom)  
of Iconix Park  
London Road  
Pampisford  
Cambridge  
Cambridgeshire  
CB22 3EG  
United Kingdom  
("ASSIGNEE")

### RECITALS:

- A. The ASSIGNOR is the applicant or proprietor in respect of the patent applications and patents particularised in the Schedule (the "APPLICATIONS AND PATENTS").
- B. The ASSIGNEE is entitled to all rights in the APPLICATIONS AND PATENTS by virtue of an assignment dated 19th March 2007 and the parties have agreed to execute this Agreement for the purpose of confirming the ASSIGNEE's rights in the APPLICATIONS AND PATENTS and to record the ASSIGNEE's interest in the same.

### OPERATIVE TERMS:

In consideration of the sum of €1 (one Euro) and other good and valuable consideration paid by the ASSIGNEE to the ASSIGNOR (the receipt and sufficiency of which are hereby acknowledged) IT IS AGREED as follows:

#### 1. Assignment

The ASSIGNOR hereby confirms and declares the assignment to the ASSIGNEE and the ASSIGNEE hereby confirms its acceptance of all the ASSIGNOR's property right title and interest in and to the APPLICATIONS AND PATENTS for all designated states including without limitation:

- (a) the APPLICATIONS AND PATENTS, any parent patent applications, and all patent applications, patents and supplementary protection certificates which may derive or result from any of the same, including any divisionals, continuations, reissues, extensions and registrations in relation to any thereof and all and any other rights in the inventions comprised in any of the above (together referred to as the "PATENT RIGHTS");
- (b) the benefit of all priority dates;
- (c) the right to seek and obtain registrations in other countries;
- (d) the right to sue for and obtain injunctive relief, damages and all other relief in respect of any infringement or misuse (whether past present or future) of any of the PATENT RIGHTS or of the rights conferred by publication of any of the same.

#### 2. Authorisation

The ASSIGNOR hereby authorises the ASSIGNEE and the ASSIGNEE's agents to sign all such forms on behalf of the ASSIGNOR as the ASSIGNEE considers appropriate in order to record the APPLICATIONS AND PATENTS and any other PATENT RIGHTS in the name of the ASSIGNEE.

IN WITNESS of which the parties have executed this Agreement in accordance with their statutes by duly authorised officers effective on the date of the later of the parties' signatures.

D by the ASSIGNOR

Signature: [Signature]  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Place: \_\_\_\_\_

In the presence of a witness:  
Signature: [Signature]  
Name: \_\_\_\_\_  
In the presence of a witness:  
Address: Signature

Name: Johann Hantz  
NR Salem

AND in the presence of a Notary Public  
(who hereby certifies the identity and authority  
of the signatory to bind the ASSIGNOR)  
Signature: \_\_\_\_\_

EXECUTED by the ASSIGNEE

Signature: [Signature]  
Name: TIMOTHY BREAR  
Title: DIRECTOR  
Date: 31 October 2008  
Place: Cambridge

In the presence of a witness  
Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AND in the presence of a Notary Public  
(who hereby certifies the identity and authority  
of the signatory to bind the ASSIGNEE)  
Signature: \_\_\_\_\_

# SCHEDULE - THE APPLICATIONS AND PATENTS

Application PCT/EP03/04395 (published as WO 03/095420) and all national patent applications and patents deriving therefrom and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, reissues, and re-examinations, including:

Country	Application number	Application date	Grant number	Grant date	Status
Argentina	P030101614	08/05/2003			Pending
Austria	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Australia	2003229734	28/04/2003			Pending
Belgium	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Bulgaria	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Brazil	PI0309940-7	28/04/2003			Pending
Bahamas	1553	08/05/2003			Pending
Canada	2487238	28/04/2003			Pending
Switzerland	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Chile	925-03	08/05/2003	43543	28/07/2008	Granted
China	03815988.0	28/04/2003	ZL03815988.0	28/03/2007	Granted
Colombia	04122513	28/04/2003			Pending
Cuba	254/2004	28/04/2003			Pending
Czech Republic	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Germany	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Denmark	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Dominican Republic	P-2003/07/05/01	07/05/2003			Pending
Ecuador	04-5413	28/04/2003			Pending
Europe	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Spain	03722554.7	28/04/2003	1506167	29/08/2007	Granted
France	03722554.7	28/04/2003	1506167	29/08/2007	Granted
United Kingdom	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Guatemala	PI-2003-0102	05/05/2003	5108/403/18	08/06/2006	Granted
Hong Kong	06102754.6	28/04/2003	1082946B	28/09/2007	Granted
Honduras	PI/DE2003/138	07/05/2003	4599	15/03/2007	Granted
Croatia	20041167	28/04/2003			Pending
Hungary	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Indonesia	W-00200402735	28/04/2003			Pending
Ireland	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Israel	165004	28/04/2003			Pending
India	3402/DELNP/2004	28/04/2003			Pending
Italy	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Jamaica	18/14227	06/05/2003			Pending
Japan	2004-503441	28/04/2003			Pending
Republic of Korea	10-2004-7017969	28/04/2003			Pending
Morocco	PV/27.935	28/04/2003			Pending
Mexico	PA/a/2004/10938	28/04/2003	249317	24/09/2007	Granted
Malaysia	PI20031696	28/04/2003			Pending
Netherlands	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Norway	20045359	28/04/2003			Pending
New Zealand	536418	28/04/2003	536418	10/08/2006	Granted
Peru	445-2003	07/05/2003	4576	30/03/2007	Granted
Philippines	I-2004-501788	28/04/2003			Pending
Pakistan	396/2003	06/05/2003			Pending
Poland	P-373257	28/04/2003			Pending
Portugal	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Romania	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Russian Federation	2004136281	28/04/2003			Pending
Sweden	03722554.7	28/04/2003	1506167	29/08/2007	Granted
Singapore	200406475-4	28/04/2003	107472	31/10/2005	Granted
Slovakia	03722554.7	28/04/2003	1506167	29/08/2007	Granted
El Salvador	1795-2003	08/05/2003			Pending

	0301001653	01/05/2003			Pending
and Tobago	TT/A/2004/00173	28/04/2003			Pending
	92112380	07/05/2003	1271396	21/01/2007	Granted
	20041210079	28/04/2003	77301	15/11/2006	Granted
ited States	10/513848	28/04/2003			Pending
rugway	27.794	06/05/2003			Pending
Venezuela	2003-000740	08/05/2003			Pending
South Africa	2004/8993	28/04/2003	2004/8993	25/01/2006	Granted

PCT Application PCT/EP2003/013453 (published as WO 2004/052846) and all national patent applications and patents deriving from the same and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, extensions, reissues, and re-examinations, including:

Country	Application number	Application date	Grant number	Grant date	Status
Austria	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Belgium	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Bulgaria	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Canada	2508618	28/11/2003			Pending
Switzerland	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Czech Republic	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Germany	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Denmark	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Europe	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Spain	03785688.7	28/11/2003	1569896	15/08/2007	Granted
France	03785688.7	28/11/2003	1569896	15/08/2007	Granted
United Kingdom	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Hungary	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Ireland	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Italy	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Japan	2004-557951	28/11/2003			Pending
Netherlands	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Portugal	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Romania	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Sweden	03785688.7	28/11/2003	1569896	15/08/2007	Granted
Slovakia	03785688.7	28/11/2003	1569896	15/08/2007	Granted
United States	10/537482	28/11/2003	7381840	03/06/2008	Granted
United States	12/103396	28/11/2003			Pending - Divisional of 10/537482

PCT Application PCT/EP2003/013452 (published as WO 2004/052845) and all national patent applications and patents deriving from the same and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, extensions, reissues, and re-examinations, including:

Country	Application number	Application date	Grant number	Grant date	Status
Austria	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Belgium	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Bulgaria	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Canada	2508845	28/11/2003			Pending
Switzerland	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Czech Republic	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Germany	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Denmark	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Europe	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Spain	03780088.5	28/11/2003	1572632	13/08/2008	Granted
France	03780088.5	28/11/2003	1572632	13/08/2008	Granted
United Kingdom	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Hungary	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Ireland	03780088.5	28/11/2003	1572632	13/08/2008	Granted
Italy	03780088.5	28/11/2003	1572632	13/08/2008	Granted

	2004-557950	28/11/2003			Pending
ands	03780088.5	28/11/2003	1572632	13/08/2008	Granted
gal	03780088.5	28/11/2003	1572632	13/08/2008	Granted
ania	03780088.5	28/11/2003	1572632	13/08/2008	Granted
eden	03780088.5	28/11/2003	1572632	13/08/2008	Granted
lovakia	03780088.5	28/11/2003	1572632	13/08/2008	Granted
United States	10/537217	28/11/2003			Pending

PCT Application PCT/EP2004/010606 (published as WO 2005/040119) and all national patent applications and patents deriving from the same and all foreign equivalents thereof, including continuations, continuations-in-part, divisionals, renewals, extensions, reissues, and re-examinations, including:

Country	Application number	Application date	Grant number	Grant date	Status
Canada	2540647	22/09/2004			Pending
Europe	04765478.5	22/09/2004			Pending
Japan	2006-530003	22/09/2004			Pending
United States	10/574122	22/09/2004			Pending

nr. 1685/2008

I certify that the individuals, named

- Mr. Dr. Jörg Thomaier, business address : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Germany,
- Mr. Dr. Dieter Linkenheil, business address : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Germany,
- Mr. Johannes Mautes, business address : 51368 Leverkusen, Bayer Business  
Services GmbH, Chempark, Germany,
- Mrs. Norma Geronica Baum, business address : 51368 Leverkusen,  
Bayer Business Services GmbH, Chempark, Germany

appeared before me and executed the foregoing document and signed personally

- Mr. Dr. Jörg Thomaier, Mr. Dr. Dieter Linkenheil, Mr. Johannes Mautes and  
Mrs. Norma Geronica Baum are personally known to me -.

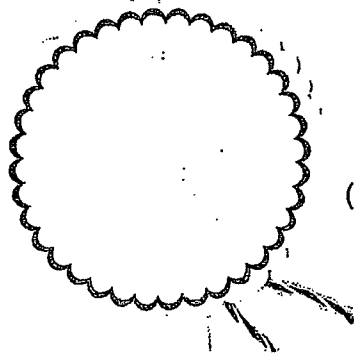
I further confirm that Mr. Dr. Jörg Thomaier and Mr. Dr. Dieter Linkenheil are authorised representatives of Bayer HealthCare Aktiengesellschaft in Leverkusen and having today inspected the commercial register of the local court in Cologne, are recorded in Section B 49894 as authorised representatives.

2. Ich beglaubige die vor mir vollzogenen Unterschriften von :

- Herrn Dr. Jörg Thomaier, geschäftsansässig : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Bundesrepublik Deutschland,
- Herrn Dr. Dieter Linkenheil, geschäftsansässig : 51368 Leverkusen,  
Bayer HealthCare AG, Chempark, Bundesrepublik Deutschland,
- Herrn Johannes Mautes, geschäftsansässig : 51368 Leverkusen,  
Bayer Business Services GmbH, Chempark, Bundesrepublik Deutschland,
- Frau Norma Geronica Baum, geschäftsansässig : 51368 Leverkusen,  
Bayer Business Services GmbH, Chempark, Bundesrepublik Deutschland,
- Herr Dr. Jörg Thomaier, Herr Dr. Dieter Linkenheil, Herr Johannes Mautes und  
Frau Norma Geronica Baum sind persönlich bekannt -.

Ich bescheinige aufgrund Einsicht vom heutigen Tage in das Handelsregister des Amtsgerichts Köln HRB 49894 -, dass Herr Dr. Jörg Thomaier und Herr Dr. Dieter Linkenheil berechtigt sind, die Bayer HealthCare Aktiengesellschaft in Leverkusen als Prokuristen einzeln zu vertreten.

Leverkusen, den 22. Oktober 2008



Klaus Striewski  
(Notar in Leverkusen)